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ABSTRACT

Ethical issues involved in competency testing of teachers are raised by the following considerations: that (1) the initiative for the movement came from state legislatures and boards of education rather than from educators; (2) in some states, the testing of teachers is paralleled by a movement to assess the basic skills of public school students; (3) competency testing of teachers has come about despite research inadequate to show direct relationship between performance on the tests and on-the-job-competence; (4) the predictive validity of the tests has been generally unsubstantiated; (5) the tests are more often norm-referenced than criterion-referenced; and (6) cut scores have been consistently set at a level high enough to eliminate disproportionate numbers of minority students from the teaching profession. An analysis of minority performance on teacher competency tests is presented from 10 southern and border states. Selected key cases are examined to determine the legal principles underlying testing, and the relationship of the role of the courts to the growth of the competency testing movement, despite evidence that it has a negative impact on minority groups. Recommendations are offered for achieving a balanced solution to an inequitable situation. Tables are presented depicting states which have mandated competency tests and states discussing adopting the tests. (JD)

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THE IMPACT OF COMPETENCY TESTS ON TEACHER EDUCATION: ETHICAL AND LEGAL ISSUES IN SELECTING AND CERTIFYING TEACHERS

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SP 025 420

Running Head: Competency Testing: Issues

The Impact of Competency Tests on Teacher Education: Ethical and Legal Issues in Selecting and Certifying Teachers

The society of the 21st century will inherit the fruits, both bitter and sweet, of sweeping changes in the professional preparation of teachers that are occurring during the last two decades of the 20th century. The present is perhaps an historic moment. The public is insisting on excellence in American education. This insistence has been underscored in no less than 100 regional and national reports. Never before has public demanded reform in the public school system and simultaneously insisted on reform in the teacher training programs of American colleges and universities. Most state legislatures have enacted or are considering major reform legislation indicating that the destinies of teacher training programs and public school reform are clearly intertwined. Never before has there been such common agreement among professional educators, first, that there is a clearly identifiable knowledge base for teachers and, second, that the acquisition of the content of that knowledge base is measurable. It is an historic moment, too, because not since the years prior to the 1954 Brown decision have state legislatures and boards of education enacted regulations which directly bear upon the racial composition of the national teaching force. If not historic, the present is at least portentous, foreboding unfortunate consequences for minority teachers. No doubt, some legislated reforms and court determined precedents will leave a positive legacy for the future. However, two trends—the rise of competency tests and a supportive trend of conservative court decisions—constitute current seeds of reform which foretell a bitter harvest in the 21st century.

Responding to the increasing pressure of the public's mandate for excellence, state legislatures and state boards of education have been forced to respond with rapidly implemented, simplistic solutions to complex problems. Whereas little action has been directed toward curricular reform, increased teacher salaries, sufficient funding for education, the working conditions of teachers, or improved training models, great attention has been given to reforming the standards for selecting and certifying teachers. Hence, the single, most visible national response has been the adoption of state-mandated competency tests for the certification of teachers.

The consequences resulting from using competency tests as the primary determinant for certification, however, are tragic. In states where competency testing is occurring, disproportionate numbers of minority candidates are being excluded from the teaching profession. Philosophical and practical issues are being raised that threaten to splinter the profession with controversy at a time when solidarity is needed.

The use of competency tests to certify teachers has forced both educators and the public to challenge the most cherished premise underlying the philosophy of education in a democratic society: that persons regardless of socioeconomic status, race, or creed are guaranteed both excellence and equity in their pursuit of education. Furthermore, excellence has been reduced to a quality measurable by scores on standardized examinations; and, more specifically, excellence in teaching has been operationally defined in the narrowest sense, a high score on a pencil-paper test. Concomitantly, the issue of excellence has taken precedence over the issue of equity. In fact, with little protest from the public or the community of professional educators, definitions of excellence that are inclusive of equity have fallen

by the wayside in preference for definitions of excellence that are dangerously akin to elitism. Signs of the time predict a brewing controversy and point to the need for an examination of the competency testing movement, related legal issues, and the impact of both on the American promise of equity.

Profile of The Competency Testing Movement

Teacher competency testing is largely a pencil-paper test movement although about 10 states have included in their assessment programs evaluation of teaching skills by teams of trained observers. Noting that state competency assessment programs have rapidly spread from 3 in 1977 to 30 in 1983, Sandefur (1984) describes the movement:

> Twelve states require testing for both admission and certification. Inclusively, however, 25 states require testing for certification and 17 require testing for admission to teacher education programs. In terms of skills tested, states are most concerned about basic skills (25), followed by professional or pedagogical skills (20) and academic skills (19) (Sandefur, 1984b, p. 17).

Results of Sandefur's latest survey are shown in Table 1 and Table 2. Table 1 depicts states which have already mandated competency tests and Table 2 depicts states with reported discussion of adopting tests. Based on data in these charts, Sandefur (1984) has made the following conclusions and predictions:

1. State competency-assessment programs, ... , will continue to increase, especially since 12 states reported planning activity in 1983.

2. The pressing emphasis on basic skills testing for certification will continue.
3. Fewer states are using legislative action to mandate competency assessment; more are using state department-of-education regulations.
4. More states are mandating an induction year prior to certification. The year is most frequently called an internship or beginning teacher year, and it usually includes assessment by a visiting team.
5. More states are choosing to use nationally standardized tests rather than develop their own. Apparently, this is a result of the prohibitive cost of test development and the additional advantages of national and state compatibility (Sandefur, 1984b, p. 17).

Table 1

Table 2

Based on an earlier survey, Sandefur (1984c) noted that the states were almost evenly divided in their use of nationally standarized versus customized tests. As Table 1 indicates, 18 states employ standardized tests; 16, customized. The National Teachers Examination (NTE), the American College Test (ACT), the Scholastic Aptitude Test (~~ACT~~ SAT), the California Achievement

Test (CAT), and the more recently developed Pre-Professional Skills Test (P-PST) are the most commonly used standardized examinations. The NTE, published by Educational Testing Service (ETS), is either presently used in competency assessment programs or has been used on a trial basis in Arkansas, Louisiana, Mississippi, New Mexico, New York, North Carolina, South Carolina, Tennessee and Virginia. ETS was also involved in the development of the California Basic Skills Test (CBEST) and publishes the Pre-Professional Skills Test (P-PST) used in Delaware, Kansas, and Texas. The California Achievement Test (CAT) has been adopted as a measure of basic skills in Colorado, Tennessee, and Wyoming. Scores on the Scholastic Aptitude Test (SAT) and/or the American College Test (ACT) to determine admission to teacher education are used in Alabama, Florida, Missouri, and Mississippi. National Evaluations Systems, Inc. (NES) contracted for the development of customized examinations used in Alabama, Georgia, and Oklahoma.

Although there is considerable diversity among the state testing programs, several significant patterns can be observed. One, the movement originated in a small band of southern states and spread rapidly to bordering states prior to adoption in most western, central, and northern states. It is significant that the impetus for the competency testing movement originated in roughly the same geographical region where massive displacement of black teachers occurred after the 1954 Brown decision. Using data gathered by a National Education Association task force and the Southern Education Reporting Services, Ethridge (1979) reported that between 1954 and 1970 31,584 black teachers lost their positions in the 17 southern and border states. That a precedent for excluding minority teachers existed prior to the competency testing movement is well documented. Second, there is a

geographic parallel between the early competency testing states and the 12 southern and border states under Federal mandate to desegregate their public colleges and universities (Blakely, 1983).

Third, it is significant that teachers and professional organizations have not presented a united, conclusive position on competency testing. The American Federation of Teachers (AFT) has strongly supported competency testing of teachers prior to their entry into the classroom but opposed testing of practicing teachers. Like AFT, the National Education Association (NEA) and some of its state affiliates, such as the Arkansas Education Association, generally have opposed testing practicing teachers but remained officially silent concerning the competency testing of new teachers. A 1984 Louis Harris survey of 1,981 elementary and secondary teachers interviewed nationwide found that 57% would welcome periodic testing of teachers in their subject fields. NEA President Mary Hatwood Futrell refuted the Harris Poll findings on the basis of a survey of 2,000 randomly selected NEA members, which found overwhelming opposition to the competency testing of practicing teachers (Poll shows, 1984). The American Association of Colleges of Teacher Education (AACTE) document, Educating a Profession: Competency Assessment (1983), does not directly support the use of state-mandated competency tests. Defending institutional control of competency assessment, AACTE's position advocates flexibility:

> Teacher education institutions have an obligation to establish entry, retention, and exit criteria which measure the knowledge, skills, and attitudes of successful teachers . . . . Even though a comprehensive assessment system and rigorous standards are necessary for high quality teacher education programs, insti-

tutions have valid reasons for establishing flexible and special admission categories. These are particularly important and appropriate with experimental programs and with efforts to increase the representation of students who otherwise would be excluded because of limited pre-college educational programs.

Multiple assessments should be used on a regular basis from entry to exit . . . . The use of multiple assessment procedures eliminates a reliance on paper-and-pencil tests for establishing the competence of teacher education students. (Educating a Profession: Competency Assessment, pp. 3-4)

AACTE's strongest position relative to the impact of competency tests on minority teachers is found in selected subparts of Resolution # 7, "Affirmative Action," passed by the membership at the 36th Annual Meeting on February 4, 1984:

Be it resolved that:

AACTE reaffirms the resolution that "no program shall be devised which places sole reliance upon a single measure or upon a single assessment technique."

Further, no program of selection be devised by SCDEs and SEAs that eliminates disproportionate numbers of minority candidates from the teaching profession.

Further, AACTE work with state ACTE units and other appropriate agencies to establish flexible, alternative admission requirements to state test scores to increase the representation of minority candidates. (AACTE Directory 1984, p. 83)

Other observations can be made about the movement to test the competency of teachers. First, the initiative for the movement came from state legislatures and boards of education rather than from teacher organizations or college and university schools and departments of education, thereby weakening the position of educators to govern their profession. Second, in several states the testing of teachers is paralleled by a movement to assess the basic skills of public school students with the latter, more often than not, having been mandated first. Third, competency testing of teachers has taken root despite inadequate research to show a direct relationship between performance on pencil-paper tests and on-the-job competence. Fourth, recognizing that predictive validity of the tests has been generally unsubstantiated, most state departments of education and test developers have been cautious to establish content validity through textbook review and through test item review by teachers and other groups of professional educators. Fifth, the tests are more often norm-referenced rather than criterion-referenced, a fact that makes designing successful college developmental and teacher preparation programs extremely difficult. Finally, state determined cut scores have been consistently set at a level high enough to eliminate disproportionate numbers of minority students from the teaching profession.

Minority Performance on Teacher Competency Tests: A State by State Analysis

Describing teaching as "the profession blacks may lose," Trammer (1980, p. 69) and others (Scott, 1979; Mohr, 1980; Wright, 1980; Kauchak, 1984; and Mercer, 1983; 1984) have noted the detrimental effects of competency testing

on the professional pool of black teachers. Providing the most recent comprehensive analysis of historical and contemporary factors responsible for the diminishing numbers of black teachers, Witty (1982) identifies state-mandated competency testing a threat to the very "survival of black teachers in America" (p. 1). In an analysis of unresolved issues posed by the newly adopted Texas teacher assessment program, Vargas (1984) forecasts a similar threat to Hispanic teachers. Questioning blind acceptance of competency tests as the major instrument for improving public schools and teacher training programs, Gallegos (1984) echoes concern for Native American teachers, particularly those being displaced by Anglos in Bureau of Indian Affairs schools in Arizona.

Enough evidence is now available from states that have had several years experience using testing in the certification process and from states that have completed initial validation studies to indicate that disproportionate numbers of minority students are being screened out of teaching. In fact, initial reports of minority performance have proved to be a source of embarassment in many states, so much so that it is far easier to obtain data from newspaper sources than from state certification departments. Recognizing the growing use of standardized tests as one of several contributing factors, the American Association of Colleges for Teacher Education (AACTE, 1983) reports that since 1978 the number of new teachers produced by 45 predominantly black AACTE member institutions has declined 47%. Table 3 shows pass rates on competency tests for ten states.

Table 3

Alabama

Since June, 1981, candidates who have completed an approved program and seek teacher certification in Alabama have been required to pass the Alabama Initial Teacher Competency Test (AITCT), an exit exam developed by National Evaluation Systems, Inc. (NES) that consists of the Basic Professional Studies test (basic literacy) and specialization tests. There are 36 specialization test areas, including elementary education, special education, language arts, and other academic disciplines. Admission requirements to an undergraduate teacher education program consist of a score of 16 on the ACT or 745 on the SAT and a passing score on the English Language Proficiency Test, also developed by NES.

Based on summary score reports from the Alabama Department of Education dated July 21, 1981; March 20, June 26, and December 11, 1982; and March 26, 1983, compiled data for five separate test administrations indicate that approximately 10,028 tests, including both Professional Studies and specialization tests, were given. Table 4 indicates that black candidates passed 43% of the tests, compared to an Anglo pass rate of 86% and an overall pass rate of 81% (Statewide summary, July 21, 1981; March 20, June 26, December 1, 1982; March 26,1983). Although the Alabama State Department of Education reports results by number of tests taken and passed rather than by number of persons, the data is still sufficient to estimate the impact of competency testing upon the racial composition of the Alabama teaching force. Assuming that the number of Professional Studies tests equals the number of candidates during these particular test administrations, 2,613 candidates passed sufficiently well to be certified. The 132 black candidates who passed the Professional Studies test represent about half the 261 black candidates

who would have been certifiable had competency testing not been in force, a drop from 8% to 5% of the minority representation in the Alabama teacher candidacy pool. The actual impact in head count may even be more severe since students who passed the Professional Studies test may not be the same students who passed the specialization tests.

Two issues related to competency testing in Alabama are the pending litigation against the ~~ACT~~ AITC and the use of test scores to guage the quality of teacher education programs. In December 1981, three black female students from Auburn University in Montgomery, the University of South Alabama, and Alabama A&M University filed suit in U. S. District Court to block the Alabama Board of Education from giving teacher certification tests. The suit asked the court to halt the tests until validated and until the state dismantled the dual system of higher education (Smith, C., 1981).
In February , 1983, the Alabama Board of Education approved a resolution to begin using test scores as a measure of quality of teacher education programs in colleges and universities. A failure rate of 60% warrants a visit by a review team. Institutions have four years to make improvements based upon recommendations in the team's report (Low scores, 1983).

Arizona

Originally, the Arizona Teacher Proficiency Exam was a 150-item basic skills exit test designed to measure proficiency in reading, grammar, and mathematics. Presently, to obtain certification a prospective teacher education graduate must answer 80% of the items correctly. In July, 1981, the Arizona Board of Education added a second part to the test to measure professional knowledge, including classroom management, curriculum and

instruction, assessment and evaluation, theories of growth and learning, educational foundations, and organization and administration. While the professional knowledge test is being field-tested, candidates must get 50% correct responses to obtain a passing score. Table 5 shows test results for test administrations between January 1 and June 30, 1983.

Table 5

Between July and September of 1983 an additional 1,366 candidates took the ATPE. Pass rates were 41% for blacks, 36% for Hispanics, 25% for Asians, 19% for Native Americans, and 70% for Anglos (Knight, 1983).

The Arizona Teacher Residency Program is a two-year pilot program in which new teachers are evaluated by a committee including a master teacher, an administrator, and a member of a college of education faculty . The areas to be evaluated include assessing students, planning and implementing instructional strategies, developing positive relationships with students, monitoring and communicating student progress, evaluating the instructional program, and managing the classroom. Not yet mandated by the state, the program remains experimental. No data is available to determine the impact of the program on minority teachers.

California

Since February 1, 1983, new teachers, administrators, and some other school employees such as librarians, have been required to pass the

California Basic Education Skills Test (CBEST), designed to measure proficiency in reading, writing, and mathematics. The reading and mathematics sections include only multiple-choice questions; the writing section requires written essay responses on two topics. To be certified, an examinee must obtain a total score (sum of reading, writing, and mathematics) of 123, with no section score lower than 37.

The California Commission of Teacher Credentialing has provided a detailed analysis of personal background factors and test performance scores in "CBEST Performance in Relation to Personal Background Factors", a study that includes data obtained at one field test and four regularly scheduled administrations (December, 1982, and February, May, and July, 1983) during the first year of the testing program. Table 6 presents performance data for various ethnic groups and clearly shows the disproportionate impact on minority groups.

Table 6

The Commission's study provides other significant findings that may be of interest to professional educators in other states that are considering competency testing:

1) Of those examinees who were attending college at the time of taking the CBEST, full-time students had a pass rate of 63% compared to a pass rate of 49% for part-time students. (p. 3)

2) Recency of college attendance seems only slightly related to CBEST performance. Examinees who had graduated within the past two years had a 71%

pass rate; those who had graduated within 3-9 years had a pass rate of 69%; those who had graduated 10 or more years ago had a 76% pass rate. (p. 4)

3) There is considerable difference in the pass rates of those who attended a community college (53% for those still working on a baccalaureate and 60% for those who had completed a baccalaureate) and those who attended four-year colleges and universities (65% for those still working toward a baccalaureate and 75% for those who had completed the baccalaureate). (pp. 4-5)

4) "In general, those who did not have tutorial help had a higher passing rate than those who did require such help, but for both groups (examinees still attending college and examinees holding a baccalaureate) there is an exception if the tutorial work was limited to the combination of writing and mathematics." (p. 6)

5) There is a low correlation between self-reported grade-point averages and pass-fail status on the CBEST. Correlations for both graduates and students working toward the baccalaureate range from .16 to .27. (p. 8)

Of the 33,586 examinees, a total of 5,183 or 15% had grade-point averages of 3.00 or above but failed the CBEST. That 21% of the college students and 18% of the graduates who reported senior grade-point averages of 3.5-4.0 and 39% of the college students and 28% of the graduates with self-reported grade-point averages of 3.0-3.49 failed raises serious questions. That all but 6,487 of the California examinees had completed four year programs magnifies the complexity of measuring competence not only of minority candidates but all candidates (California Commission, 1984).

Florida

The Florida legislature has enacted a number of testing laws which bear on the certification of teachers. A law passed in June 1978 requires (1) a passing score on a nationally normed college entrance test (currently a score of 17 on the ACT or 835 on the SAT) for admission to a teacher education program, (2) demonstration of mastery of minimum essential generic and specialization competencies on a comprehensive written examination, and (3) completion of a 5th year internship. The current Florida Teacher Certification Examination (FTCE) is a 200-item test consisting of sub-tests in mathematics, reading, writing, and professional education. Although the FTCE was originally designed as an exit test, the Florida legislature made a change which permits the written examination to be taken by a prospective teacher prior to graduation (Sandefur, 1984a, b). An added dimension to the competency testing program in Florida is a law passed in 1981 stating that 80% of the students must pass subject matter examinations for teacher education programs to maintain state approval. Enforcing the law for the first time in 1983, the State of Florida withdrew approval of 38 teacher education programs in 18 colleges and universities, primarily historically black institutions and other institutions with large minority enrollments (In Brief, 1983).

Reports of minority performance on the ~~PCTE~~ FTCE are discouraging. In 1981 Florida certified approximately 200 black teachers out of a total of 5,500 teachers, a black representation of 3.6%. Table 7 shows results of the July 1982 test report:

Table 7

The July, 1982, data shows a pass rate of 92% for white teacher candidates, 37% for black candidates, 57% for Hispanic candidates, 80% for Native Americans or Alaskan Natives, and 67% for Asian or Pacific Islanders (Number and percent, 1982). Florida competency testing data released in February, 1983, shows a first-time pass rate of 90% for white teacher candidates, 35% for black candidates, 51% for Hispanic candidates, 100% for 4 Native American candidates, and 63% for Asian or Pacific Islanders (Andrews, 1983).

Georgia

In Georgia, one of the first states to develop and norm its own test, statistics on the performance of a total 22,261 students who took the 150-item Criterion Referenced Teacher Certification Test (CRTCT) were made public in 1983 by the State Department of Education for the first time since the program's inception five years ago. An article in the Atlanta Journal and Constitution (Hansen, 1983) indicated that on first attempt, 34% of the black candidates passed, compared to 87% of the white candidates.

Approximately 3,483 black students and 18,658 white students were tested between 1978 and 1983. The estimated first time pass rate for all candidates for the five-year period is 78%. The 3,483 black students in teacher training programs would have represented 15.6% of the newly-certified teachers had competency tests not been required. The 1,184 black candidates who passed the

Georgia CRTCT, however, constitute only 6.7% of the pool of 17,417 teachers qualifying for certification.

Students from the nine historically black institutions in Georgia had a first-time pass rate of 28% compared to the 34% pass rate for all black students. Forty-five percent of the students from historically black institutions eventually passed the CRTCT over the five-year period, compared to a cumulative pass rate of 87% for all candidates. Despite the fact that black candidates failed the examination five times as often as their white counterparts, William Gorth, President of National Evaluations Systems, Inc., remarked, "There is no ethnic bias in the questions. The tests were reviewed by committees of people from all walks of life, black and white, in Georgia" (Teacher test, 1983, p. 30A). Noting that the CRTCT consists of 28 tests designed to measure minimum content knowledge in specified academic areas, Flippo and Foster (1984) have provided a comprehensive analysis of the procedures used to validate the test.

Since May 1, 1980, applicants have received non-renewable, three-year certificates. Beginning teachers must demonstrate competency on 14 generic teaching competencies as judged by evaluators on the Teachers Performance Assessment Instruments (TPAI). Although the precise impact of the TPAI on minority teachers is not known, 72% of all beginning teachers met their performance criteria in 1982-1983 during their first year (Sandefur, 1984a).

Louisiana

The superintendent of education selected the National Teacher

Examination (NTE) to fulfill the Louisiana legislature's 1977 mandate that a teacher applying for initial certification must pass an examination of English proficiency, pedagogical knowledge, and specialization knowledge. Since 1978, 15% of the black teacher candidates compared to 78% of the white candidates have passed the NTE (Teacher test, 1983). Kauchak (1984) provides the most comprehensive analysis of the impact of competency testing on minority applicants in Louisiana:

> Since the beginning of competency testing in Louisiana in 1978, only 15% of the 1,394 black students from public institutions who took the NTE achieved a passing score. The figure represents a 10% passing rate for blacks at predominantly black public institutions and a 28% passing rate at predominantly white public institutions in the state.
>
> Since the inception of competency testing in Louisiana, only 211 black graduates of public institutions in the state have passed the NTE — just over 40 black students per year. This figure is well below the 580 black teachers that should have been hired each year if the racial composition of the teaching force was to be maintained at pre-1978 levels. (p. 627)

Noting a 49% decline in senior education majors from 768 in 1979-80 to 389 in 1982 at the two largest predominantly black institutions and a parallel decline of black graduates in predominantly white state institutions that produced an annual average of about 55 certified candidates over the last four years, Kauchak underscores the devastating impact of testing on minority teachers and challenges the myth that predominatly white institutions will

rise to the occasion of providing substantial numbers of minority teachers. Using Kauchak's data, it is relatively easy to estimate that black teachers represent only about 5% of the total pool of new teachers certified between 1978 and 1982. The significance of this fact in determining the long term effects of competency testing is magnified when viewed against Kauchak's findings that 37% of the school children are black and that 47% of the Louisiana teaching force with 15 or more years experience is black and rapidly approaching retirement.

Further reduction in the number of minority teachers is the likely result of implementation of a pending proposal by the Board of Regents to require an ACT composite score based on a sliding grade point average for admission to a teacher program. The proposal recommends admission standards based on an ACT of 16 with a grade point average of 2.2 and an ACT of 14 with a grade point average of 3.2. Students with an ACT below 14 would be denied admission. Although the American College Testing Program is not prone to publish test results by ethnicity, inferred average ACT scores for black students enrolled in private and public historically black institutions range from 11 to 14.3 (Mercer, 1984).

Mississippi

The State of Mississippi originally required a score of 850 on the NTE for certification. Current certification requirements include a minimum score of 641 for the communications skills test, 636 for the general knowledge test, 639 for the professional knowledge test, and scores ranging from 445 to 512 for area examinations. The Board of Trustees of State Institutions of Higher Learning have approved an admission to teacher education policy that

requires a satisfactory score on the College Outcomes Measures Project (COMP) Exam. A student is required to have a passing score only on the speaking or writing areas of the COMP if the student has a 3.2 cumulative grade point average at the end of the first semester of the sophomore year or a composite ACT score of 18. The Education Reform Act of 1982 also requires competency assessment of a one-year internship (Sandefur, 1984a).

The precise impact of competency assessment on minority teachers in Mississippi cannot be determined from the available evidence, particularly in relationship to admission requirements and internship assessment. Nor is the statewide impact of the NTE clear, particularly for graduates from private institutions. However, data in Table 8 does substantiate disproportionate impact on students enrolled in historically black state institutions as compared to students enrolled in predominantly white state institutions.

Table 8

In 1982, pass rates for candidates at historically black state institutions ranged from 54% to 70% compared to pass rates for candidates at predominantly white state institutions that ranged from 97% to 100% (Warner, 1983).

Oklahoma

In 1980, the Oklahoma legislature enacted House Bill 1706 which requires a teacher candidate to pass curriculum examinations in each subject that the

candidate expects to teach. Any person completing a teacher education program after January 31, 1982, is required to pass the curriculum examination before being certified. The Oklahoma State Department of Education contracted with National Evaluation Systems, Inc. (NES) of Amherst, Massachusetts, for the development and administration of the Oklahoma Teacher Certification Testing (OTCT) program. The Oklahoma Certification Testing Program: Registration Bulletin (1984) provides the following description:

> The tests are criterion-referenced and competency based . . . designed to measure a candidate's knowledge and skills in relation to an established standard of competence rather than in relation to the performance of other candidates . . . . All competencies were reviewed by Oklahoma educators and committees of content experts for relevance to the teaching field. In addition, the tests were developed on the basis of textbooks, curriculum guides, and teacher education and certification standards. Further, a job analysis survey was conducted using some 4,000 randomly sampled Oklahoma educators to ensure that the competencies were accurate and reasonable (p.6).

Summary data from five selected test results reports from January, 1982, to February, 1984, are shown in Table 9. Compared to an overall pass rate of 78%, black candidates passed 45% of the tests; Hispanic candidates, 71%; Native American candidates, 70%; Oriental candidates, 82%; and Anglo candidates, 79% (Sex and race results, 1982, 1983, 1984).

Table 9

The Oklahoma Department of Education reports tests results by number of tests taken at a given test administration. Consequently, a true number of certifiable teachers cannot be extrapolated since candidates may seek certification in more than one area. However, by counting the number of individual major concentration tests, test figures for the total number of certifiable teachers and the number of certifiable teachers within each of the ethnic groups can be estimated; and, therefore, an estimate of the impact of competency testing upon the teaching force in Oklahoma can be computed. Compiled data from the July, 1982, December 1983, and February, 1984 test administrations reveal that approximately 3,549 teachers were eligible for certification as a result of competency testing. Without competency testing 4,357 teachers would have been eligible for certification. The overall effect of competency testing is a loss of 808 teachers, a 19% loss of prospective teachers. Approximately 118 black candidates took tests; 55 passed, a 53% loss in the pool of prospective black teachers. Approximately 86 Native Americans took tests; the 55 Native Americans who passed represent a 31% loss in the pool of prospective Native American teachers. It is reasonably safe to conclude that competency testing will reduce certified black teachers to about 1.5% of the total pool of certified teachers. Likewise, Native American teachers are likely not to represent more than 1.5% of the certified teachers. As a consequence of competency tests, minority teachers — Blacks, Hispanics, Native Americans, and Orientals — are likely not to represent more than 3.6% of the teachers certified in Oklahoma. Anglo teachers will

constitute approximately 96.4% of the Oklahoma teaching force.

Texas

The Texas legislature enacted a law in 1981 requiring prospective teachers to pass both an entrance examination of basic skills and one or more exit examinations. Following a recommendation by the Commission on Standards for the Teaching Profession, the Texas State Board of Education adopted the Pre-Professional Skills Test (P-PST) as the entry examination. Like California's CBEST, the P-PST was developed by Educational Testing Service and consists of subtests in reading, writing and mathematics. Permitted three attempts, candidates must pass all three subtests to be admitted to an approved teacher education program at a Texas college or university. Although an exit examination has not been adopted, the State Board of Education set cut scores for the entry level examination prior to March 3, 1984, the date of the first official administration of the P-PST. In the spring of 1983, a sample of 1,269 students from 61 Texas institutions participated in a data-gathering study conducted by IOX Assessment Associates to be used in establishing performance standards on the P-PST. The Commission on Standards for the Teacher Profession has recommended to the State Board of Education cut scores for the reading, writing, and mathematics tests that will increase by two points every two years from 1984 through 1988. Based upon the 1983 performance data and the recommended cut scores for 1984, projections for the first administration indicate elimination of 84% of the black applicants and 61% of the Hispanic applicants on the math test, 87% of the black applicants and 65% of the Hispanic applicants on the reading test, and 80% of the black applicants and 56% of the Hispanic applicants on the writing test. By 1988,

if minority scores do not show improvement and if the ruling that applicants must pass all three examinations is not amended, 96% of the black applicants and 84% of the Hispanic applicants may be denied admission to teacher education on the basis of the reading test alone (IOX, 1983). Recently released results from the March 3, 1984 test administration, the first official testing, indicate lower pass rates than originally projected with only 10% of the blacks, 19% of the Hispanics, and 62% of the whites passing the P-PST (Performance, 1984).

Virginia

The Virginia General Assembly passed a 1981 law requiring that all new teachers hired after July 1, 1984, pass a battery of competency tests. During an 18 month study, portions of the National Teacher Examinations were administered to a total of 2,770 candidates for teaching certificates that included 1,654 graduates of predominantly white institutions and 89 graduates of predominantly black institutions. Compared to other states, relatively low cut scores of 644 for the communications skills test, 634 for the general knowledge test, and 633 for the professional knowledge test were used to establish pass rates. Findings of the study revealed a pass rate of 56% for candidates from black institutions compared to 97% for candidates from white institutions on the communications skills test; 69% compared to 99% on the general knowledge test; and 83% compared to 99% on the professional knowledge test. Only 50% of the candidates from black institutions passed all three portions of the NTE (Byrd & Keesler, 1984).

Legal Trends and Issues in Teacher Competency Testing

The decade of the 70's marked a reversal in the American legal system's view of the competency testing of teachers. Prior to the mid-70's, almost without question, competency tests for teachers were struck down by most courts. Courts seldom looked beyond discriminatory impact to rule tests and selection procedures unconstitutional. By the mid-70's competency tests, particularly outside teacher education, began to be struck down less frequently. The concept of discriminatory impact began to give way to the concept of discriminatory purpose and discriminatory intent. More lenient legal definitions of test validity began to emerge from the various court cases. Near the end of the decade, the U. S. Supreme Court upheld the use of the NTE for certifying teachers, a legal precedent which gave impetus to the rapid acceptance of competency testing. Clearly, increasingly more conservative court decisions throughout the decade charted the course, principle by principle, for how testing companies and state agencies could legally develop and use testing programs that would result in disproportionate failure rates for minority students. Thus, an examination of selected key cases serves as a primer for understanding the legal principles underlying testing and for understanding the relationship between the role of the courts and the phenomenal growth of the competency testing movement.

In the early 1970's most legal challenges to the testing of teachers focused on the use of the National Teacher Examinations for hiring rather than for certifying teachers. More often than not, the courts struck down testing requirements of school districts because the tests bore no rational

relationship to an intended or legitimate purpose and/or because there were no studies of test validity or reliability. In Baker v. Columbia Municipal Separate District (1972) a hiring requirement of a minimum score of 1000 on the NTE was struck down on the basis that the school district had conducted no study of the validity and reliability of the test or the cut-off score. Similarly, a minimum score of 500 on the Common Examination which was serving as an alternative to a required score on the Graduate Record Examination as prerequisite for hiring teachers was struck down on the basis of lacking rational relationship to a legitimate purpose in Armistead v. Starkville Municipal Separate School District (1972). In U. S. v. Chesterfield County School District (1973) the court struck down use of the NTE on the basis that the school district policy under which test scores were used was arbitrary and capricious. In Walston v. County School Board of Nansemond County (1974) where a minimum score of 500 on the Common Examination of the NTE was a prerequisite for hiring teachers, the court found no rational relationship to intended purpose.

By the mid-1970's, legal challenges to testing teachers began to focus upon the use of the NTE to certify teachers. Courts continued to strike down the use of competency tests but established a trend of clarifying legitimate uses of tests. In U.S. v. North Carolina (1975) a three judge court ruled that a state has a legitimate interest in determining whether candidates have the minimum knowledge necessary to teach but that the minimum score required by North Carolina violated the Fourteenth Amendment because it lacked any rational basis. Clarifying the absence of rational basis, the court said that although a cut-off "score somewhere on the scale would disclose the knowledge necessary as a prerequisite to effective teaching . . .

that point—whether at 950 or some other score—is not established by the record" (p. 350). This ruling was a significant prelude to future cases because the court clearly established that the state has a legitimate interest in testing for the purpose of certification and implied that proper validation of a cut off score would remove the only serious barrier.

As noted by Rebell (1977), in the case of Georgia Association of Education v. Nix (1976), the use of the NTE for certification was not upheld. The issue in this case centered upon a requirement that to obtain a six-year certificate and higher pay, the teacher had to complete a specified post-graduate course of study and achieve a composite score of 1225 on the commons and the teaching field specialization portions of the NTE. The court found that the NTE was designed as a measure of knowledge gained at the undergraduate level rather than at the post-graduate level. The court further held that the NTE had not been shown to be related to the evaluation of a teacher's past performance for the purpose of determining "master teacher" status and therefore entitlement to higher salary. This case, however, did not throw any new light on the legality of using the NTE for certification of new teachers but did imply the possibility of validating the NTE against an undergraduate curriculum.

At the mid point of the decade, two cases involving testing requirements for admission to training programs outside the field of education influenced the rationale underlying later court decisions directly concerned with teacher competency testing. In Tyler v. Vickery (1975) the Fifth Circuit rejected a challenge based on the Fourteenth Amendment to the Georgia Board of Bar Examiners' requirement of passing written tests as part of the criteria for admission to the bar. The court upheld the district court's use

of a rational relationship test stating that "if a state has the right to insist on a minimum standard of legal competence as a condition of licensure, it would seem to follow a fortiori that it may require a demonstration of such competence in an examination designed to test fundamental ability to recognize and deal with legal principles" (p. 1101). Neither a validation study of the test nor validation against actual job performance was required to meet the rational relationship standard. Washington v. Davis (1976) clearly upheld the use of a verbal ability test as an eligibility requirement to enter a police training program. The U. S. Supreme Court stated that ". . . the test is neutral on its face and rationally may be said to serve a purpose the government is constitutionally empowered to pursue" (p. 4794) and ". . . that [the test] was directly related to the requirements of the police training program and that a positive relationship between the test and the training course performance was sufficient to validate the former, wholly aside from its possible relationship to actual performance to a police officer" (p.4795). The court ruled that state laws or regulations cannot be invalidated under the Fourteenth Amendment solely on the basis of differential impact on persons of different racial groups but that state action must be proven to have discriminatory purpose. Thus, the test, in this instance, met the constitutional standard.

In 1978 the U. S. Supreme Court affirmed a district court decision in U.S. v. State of South Carolina that upheld the use of the NTE for certification. The decision was of such landmark significance that the legal particulars of the case bear careful examination. When plaintiffs in U.S. v. South Carolina (1977) stated that use of the NTE for certification and salary determination violated the equal protection clause of the Fourteenth

Amendment and Title VII of the Civil Rights Act of 1964, the Educational Testing Service and the State of South Carolina came armed with an extensive validation study. In brief, the study consisted of validating items on the NTE Common Examinations and 13 of the 20 Area Examinations against the content of teacher training programs in South Carolina through jury judgment. Data presented to the district court indicated that 86% of the items on the Common Examinations and more than 90% of the items on the 13 Area Examinations were judged by 456 experienced educators from 25 teacher training institutions as appropriate for use in South Carolina. The validation study also proposed minimum cut-off scores for prospective teachers in South Carolina (Willens, 1976). The ruling of the district court, later upheld by the Supreme Court has been summarized by Hyman (1984):

> A three-judge court held that the NTE met four legal standards: (a) They had a "fair and substantial relationship" to the governmental objectives for education (p. 1108); (b) They did not have a "discriminatory intent" in regard to race (p. 1104); rather they differentiated on a "rational basis" between persons who did and did not have some minimum verbal and communication skill. This created in turn some rational basis to the legitimate employment objectives of the State of South Carolina (p.1112). In the words of the court, "the NTE creates classifications only on permissible bases (presence or absence of knowledge or skill and ability in applying knowledge), and they are not used pursuant to any intent to discriminate" (p.1104);

(c) They were "validated" in terms of job performance (p. 1114); the court accepted the NTE approach to validation, that is, they accepted the Educational Testing Services' procedure of validating against the academic training program rather than job performance (p. 1113); and (d) They met the "business necessity test under Title VII" of the Civil Rights Act of 1964 as amended (U.S. v. South Carolina, 434, U.S. 1026, 1978 as reported in Hyman (1984), pp. 15-16).

Whereas court acceptance of validation may appear weak in light of rigorous application of the American Psychological Association standards for establishing test validity and whereas the fine shades of difference between "discriminatory intent" and "discriminatory impact" may appear superficial to some critics, the court has spoken. A clear legal precedent for the use of competency tests to certify teachers has been established. However, not all the issues in teacher competency testing are resolved. Recent developments in the Debra P. v. Turlington case and future application of the revised Uniform Guidelines on Employee Selection Procedures to competency testing merit further discussion.

Debra P. and Competency Testing for Teachers

Despite the fact that this court decision is restricted to the use of a competency test to determine eligibility for receiving a high school diploma in Florida, the Debra P. case may have ramifications beyond its original parameters and influence the teacher competency movement. Certainly, Debra P. is significant in that as a first case of its genre it will influence future cases. Because the court's findings will shape opinions of educators and the

public and because legal analysts involved in the teacher competency movement will study the court's findings, Debra P. would appear to stand alongside U.S. v. State of South Carolina in significance.

Debra P. v. Turlington (1979) was first filed in 1978 on behalf of several black high school students who challenged the constitutionality of a 1978 law that required high school students to pass a functional literacy test (later called the SSAT II) in communication and mathematics skills before receiving a high school diploma. Plaintiffs argued that the tests violated the Fourteenth Amendment Due Process and Equal Protection rights, Title VI of the Civil Rights Act, and the U.S.C. §1703, the Equal Opportunities Act. The results of three administrations of the test at the time of the case indicated a 36% over-all failure rate with blacks constituting 78% and whites 25% of the failures. Insisting that the test perpetuated and re-emphasized the effects of past purposeful discrimination, plaintiffs claimed the tests to be unreliable, invalid, not correlated to the Florida public school curriculum, and imposed on short notice. They further charged that the test itself was racially biased and was given to resegregating schools by targeting mostly black students for remediation classes. Judge Carr ruled that the test had content and construct validity, that the test bore a rational relationship to a valid state interest, that the use of test results for providing students with remediation was constitutional, but that the use of the test as a diploma sanction violated equal protection and due process clauses of the Fourteenth Amendment. He also agreed with the plaintiff's charge of short notice. The court enjoined Florida from using test scores to withhold diplomas until 1982-83, a period of four years that marked a point that seniors, supposedly, would have spent their entire education in desegregated

schools.

On May 4, 1981, the Debra P. v. Turlington case was sent to the former U.S. Court of Appeals for the 5th Circuit. Basically, the Fifth Circuit Court upheld the district court's ruling but, finding insufficient evidence that the test covered materials actually studied in the classroom and rejecting the district court's ruling that the test was "instructionally valid", remanded the case to district court for further evidence on two issues. First, the state was required to prove that the test measured material actually taught in the Florida schools. Secondly, the state must give evidence that the disparate impact on black students was not due to present effects of past intentional segregation or prove that the diploma test would help end vestiges of past segregation.

On May 7, 1983, in the matter of Debra P. v. Turlington (1983), U. S. District Judge Carr denied plaintiffs' request to continue the injunction against the diploma test beyond the originally established date. He ruled that the state had provided evidence that Florida schools teach the material on the test and that despite vestiges of past segregation and despite the disproportionately higher failure rate of black compared to white high school students there was no causal relationship. Further, even if the high failure rate among black students were caused by the effects of past segregation, the State of Florida had proven that the diploma sanction would correct those effects by identifying students in need of remediation.

Plaintiffs appealed Judge Carr's decision to the U. S. Court of Appeals for the 11th Circuit, and in May, 1984, a three-judge panel upheld the district judge's ruling that the Florida schools teach the skills on the test and that the disproportionate failure rate among black students was not due to the

vestiges of past segregation.

In an analysis of the appeals panel's decision, Walton (1984) clarifies several important points. Plaintiffs claimed that since major changes in Florida curriculum had been enacted in 1976, a study conducted for the state that examined material taught during the 1981-82 school year did not reflect the entire time students had been in school. The appeals court, however, held that most of the skills were taught in the later grades and that extensive remedial studies conducted by Florida's schools after 1977 covered the necessary material. The appeals panel also cited a survey showing that a high percentage of high school students responded that they had been taught the skills on the test. In upholding that vestiges of past segregation are not responsible for the disproportionate impact upon black students, the panel cited several pieces of evidence. First, the expert witnesses of the state provided convincing evidence that factors other than schooling affected the success or failure of black students on the test. Second, the panel considered it significant that black students in districts that had black administrators as role models performed no better than those in districts with no black administrators. The panel cited the most compelling evidence to be the high percentage of black students who had passed the test over the past six years. For example, the pass rate for 1983 black seniors was 99.5% on the communication subtest and 91% on the mathematics subtest. Thus, the panel reasoned, the diploma sanction will effectively overcome effects of past discrimination.

There are several disturbing ramifications of the Debra P. decision for those who question the use of competency tests as the major determinant of eligibility for a high school diploma or a teaching certificate. First, high

school minimum competency tests that have a disproportionate impact on minority students have been ruled as legal just as competency tests for the certification of teachers were ruled legal in U.S. v. South Carolina. Statistical evidence that minority students fail at a higher rate than white students has been judged not in and of itself evidence of discrimination. Secondly, student surveys asking students to indicate whether or not they have been taught skills measured on a test and other rather weak studies of curricular validity have been accepted by a court as sufficient means of test validation. Validation by opinion seems acceptable by the courts. Third, the concept of vestiges of past segregation in the form of dual school systems is no longer an acceptable explanation, at least in some courts, for the high failure rate of minority students on standardized tests. Fourth, with the theory of educational deprivation laid to rest, testing companies, state legislatures, and state departments and boards of education across the nation are likely to interpret the court's decision as giving them a free hand to forge ahead with competency tests at all levels without regard to the impact on minorities.

Current Status of Legal Issues in Competency Testing

It appears that educators who are deeply concerned over the negative impact of competency testing on minorities may no longer look to the courts for protection against discriminatory testing. In fact, soon after the decision in U. S. v. South Carolina, the Supreme Court's ruling in Personnel Administration of Massachusetts v. Feeney (1979) could be interpreted as the proverbial "one more nail in the coffin." The Court stated: "[T]he Fourteenth Amendment guarantees equal laws, not

equal results" (p. 273). Although this case involved a sex discrimination challenge to a veteran's preference law, its implication for competency testing litigation cannot be ignored. Certainly, the replacement of discriminatory impact by discriminatory intent to determine constitutionality of testing makes court challenges more difficult. Likewise, court acceptance of test validation by opinion makes a court challenge based on flaws of the test more difficult. Further, court challenges based upon vestiges of past discrimination have been weakened.

Despite the recent view of the courts, the distinction between discriminatory impact and discriminatory intent is likely to be perceived as superficial by minorities. After all, if a state conducts a validation study of a competency test whereby statistical evidence clearly forecasts disproportionate impact and then that state forges ahead with implementation of the testing program, such an action may be viewed by minority groups as a specific intent to discriminate. The subtleties of legal definitions offer little solace to minority parents who see their children denied high school diplomas or members of their group denied teaching certificates and, therefore, access to the social and economic advantages enjoyed by the majority population. To minority groups there is little difference between deliberate and unintended discrimination. The result is the same. When acts of unintentional discrimination are permitted to continue by the justice system and governmental agencies, unintentional discrimination becomes deliberate. A court may yet reopen this issue.

Not all the legal issues related to competency testing have been resolved at the national level. The parameters of the Debra P. rulings are restricted to the use of high school competency tests in Florida, and an

appeal to a higher court is not likely. No court challenge to the use of competency tests for teacher certification has been initiated on the basis of the revised Uniform Guidelines on Employee Selection Procedures (1978), adopted by the Equal Employment Commission, Civil Service Commision, Department of Labor, and Department of Justice after the Supreme Court decision in U. S. v. South Carolina. These standards appear to be directly related to the use of competency tests to certify teachers. First, a clear statement is made that the guidelines are applicable to licensing and certifying procedures, as well as to employment procedures. Secondly, a test for licensing and certification must be closely related to on-the-job performance and validated against a job analysis. A test must have content, construct, and/or criterion validity which is supported by empirical data. Third, selection processes should not have disproportionate impact or create a disadvantage for members of a race, sex, or ethnic group. As noted by Stedman (1984) and Hyman (1984), the Uniform Guidelines suggest further rulings on test validity since none of the current teacher competency tests have been validated against actual job performance.

Projections

Prospects for the minority teaching force are indeed dim. The competency testing movement, fueled by recently supportive court decisions, will continue to grow. Actual and projected failure rates on teacher competency tests in Alabama, Arizona, California, Georgia, Florida, Louisiana, Mississippi, Oklahoma, Texas, and Virginia range from 30% to 90% for blacks; 29% to 81% for Hispanics; 18% to 75% for Asians; and 0% to 81% for Native Americans. In 1980 minority teachers constituted approximately 12.5% of the national

teaching force. Black teachers represented 8.6% of all teachers, K-12; Hispanics, 1.8%; and American Asians and American Indians, less than 1% (Andrews, 1983). However, if the currently observable impact of competency testing continues unabatedly along with normal rates of attrition through retirements and teacher burnout, minority representation in the national teaching force could be reduced to less than 5% by 1990 and, without question, by the beginning of the 21st century.

The competency testing movement will induce negative reverberations that will reach far beyond the single effect of excluding minority applicants from teaching. First, the presence of minority teachers contributes to the quality of education of all children in a pluralistic society. Whereas cross-cultural exposure for children of the majority population is an especially important factor in their development of healthy social attitudes, minority teachers as role models are essential to the minority child's learning environment. The reduction of the number of minority teachers to less than 5% will be especially untimely as the minority elementary and secondary public school national enrollment reaches 30% by 1990. The National Center for Educational Statistics (as reported in Andrews, 1983) indicates that minority public school enrollment presently exceeds 50% in New Mexico and Mississippi. Minority public school enrollment is projected to approach 50% in California, Louisiana, South Carolina, and Texas by 1990. By the year 2000, Alabama, Arizona, Georgia, Florida, and North Carolina, which currently have minority public school enrollments ranging from 30% to 40%, are likely to approach the 50% mark. All of the above states are presently or will soon be engaged in competency testing for teachers. The impact of a reduced minority teaching force can be illustrated more graphically. If the minority teaching force is

reduced to 5% and if schools become evenly integrated, the average school child, who has about 40 teachers during his K-12 school years, can expect only 2 of those 40 teachers to be from any minority group. Second, the options for higher education for minority youth who aspire to be teachers will become more and more restricted by 1990. As either more states follow the trend set in Alabama and Florida to tie approved program status to student test performance or as competency tests reduce enrollments, institutions that have historically been receptive to minority students will be forced to dismantle their teacher education programs. As these options become closed to minority students, other institutions that have exhibited little or no social conscience heretofore, many of which have been under considerable pressure for well over a decade to desegregate, are not likely to rush forward to recruit high-risk minority students whose test scores may either jeopardize accreditation or prove embarrassing in the media.

Additionally, with the exception of eliminating large numbers of minority teachers, the use of competency tests is not likely to alter significantly the general nature of the national teaching force that historically has been over 87% white. Almost without exception cut scores have been recommended or established, regardless of the examination, at the precise point that eliminates a majority of the black and Hispanic candidates but permits most white candidates to pass. For example, the pass rate for white students in Alabama has been 86%; in Arizona, 70-73%; in California, 76%; in Georgia, 87%; in Florida, 90-92%; in Louisiana, 78%; in Mississippi, 97-100%; in Oklahoma, 79%; in Texas, 62%; in Virginia, 97-99%. The teacher competency testing programs were designed to insure excellence in teaching. Yet they will have a negligible effect on changing the quality

majority white teaching force of the past. In the next decade, testing will maintain the status quo rather than introduce an important innovation for achieving excellence. Testing appears only to guarantee the elimination of minority teachers in a decade when they will be sorely needed.

A Call for a Balanced Solution

The one positive effect of the competency testing movement is that it has forced the nation to face its greatest failure in education—the failure to understand minority achievement and to develop instructional delivery systems that are successful with minority youth. Competency testing that eliminates disproportionate numbers of minority candidates must be viewed within the context of this failure. Collaborative leadership from teachers, professional educators, and the public must rise to challenge new ways to perpetuate old inequities. In doing so, national leadership should consider these recommendations:

1. Establishment of a National Center for the Study of Minority Achievement. Needed is an effort of national magnitude that makes the understanding of minority achievement the nation's number one educational priority and that brings together the best minds the nation has to offer to review existing research, to conduct new research, and to develop a dissemination arm that directly impacts the public school classroom.
2. Negotiation with state departments of education to select alternatives to the use of standardized tests to identify, select, and certify minority teachers.

3. State and national funding for college and university developmental programs designed to prepare socioeconomically disadvantaged and minority youth to meet the challenge of stricter standards for teacher certification. This funding effort should have explicit provisions for those institutions that have demonstrated an historical commitment to equity.
4. State and national financial incentives to attract talented socioeconomically disadvantaged and minority youth to the teaching profession. Incentives should consist of both merit scholarships and loans with forgiveness provisions based on a designated term of service as a teacher.

Although the times call for a balanced solution and even if committed professional educators and grass roots organizations of minority parents formed coalitions to protest today, it may be too late to alter the direction of the competency testing movement. In recent years the critics of standardized testing have not been heard above the crusaders for testing. Mitchel Lazarus' Goodbye to Excellence: A Critical Look at Minimum Competency Testing (1981), an insightful exposition of the intellectual, social, and legal problems of competency testing, passed largely unnoticed amidst the burgeoning crusade for testing teachers. Lazarus' treatise dealt exclusively with minimum competency testing in the public schools. Allen Nairn's The Reign of ETS: The Corporation That Makes Up Minds (1979), the Nader report that charged Educational Testing Service with being the General Motors of testing, made a brief noise then seemingly receded into apathetic silence. Appearing on the Phil Donahue Show, Nader (1979) charged that "in 30 years, probably 90 million people have had their schooling, jobs, prospects for advancement, and beliefs in their own potential directly shaped by the

quiet but pervasive power of ETS" (p. 1). Nairn and Nader's attacks were restricted almost entirely to testing for entrance into undergraduate, graduate, and professional schools. Sadly, no major book directly challenging the competency testing of teachers has appeared. For the time being, the balance of the matter seems to lean heavily in the direction of advocates of teacher testing. The state governmental agencies have spoken. With more to follow suit, 30 states have adopted teacher competency tests. The courts have spoken. The public has spoken. An overwhelming 95% of 1,243 respondents in a nationwide Associated Press-Media poll said teachers should have to pass exams periodically to keep their jobs (Teacher Merit, 1984). Combined with the financial and political resources of the major testing companies, these separate constituencies collectively constitute a formidable voice amidst the current testing hysteria. Can so many be legally right but ethically wrong?

The history of Western culture is replete with examples of the invidious use of "scientific evidence" and screening devices, always in the name of "excellence and standards", to substantiate that those who already possess political and economic power are superior to fill the professional roles of philosopher, soldier, scientist, physician, lawyer,and teacher. Professional educators need only to read Stephen Jay Gould's The Mismeasure of Man (1981) to sense the depth of the tragedy produced by tainted efforts, not only to measure humankind's talents and abilities but also to use modes of measurement to deny access. Over the long course of history this or that group has been the target of exclusion. That competency testing is an extension of the same biological determinism that charted the course of a shameful history of denial and exclusion is a significant point to remember as leaders lay the plans for education for the 21st century. In the future

should the society reopen itself to tolerance for diversity and the development of talent, competency testing may take its place among the instruments of polygeny, craniometry, and phylogeny. All of these, now judged as false sciences, previously held positions of esteem in the scientific and educational communities. Today we chuckle at their absurdity to mask our shame. In future years our shame may be no less as we look back on competency testing.

Initially considered a reasonable and acceptable solution for improving the quality of education, competency testing is now in danger of causing irreparable damage to the democratic character of education. Competency testing forces equity and excellence to be dichotomies and demands an elitist shift from equity to excellence in the nation's thinking. A pluralistic democratic society cannot have excellence in education without equity. Clearly, any professional practice that excludes disproportionate numbers of minorities represents neither excellence nor equity. If this nation is considered at risk now, a decade of willful elimination of minority teachers will result in a nation lost.

References

American Association of Colleges for Teacher Education. (1983, May). AACTE announces joint program to stem minority teacher shortage. AACTE Briefs, pp. 1, 8.

American Association of Colleges for Teacher Education. (1984). AACTE Directory 1984. Washington, D.C.: Author.

American Association of Colleges of Teacher Education. (1983, April). Educating a Profession: Competency Assessment. Washington, D.C.: Author.

Andrews, T. E. (1983, May 26). Teacher Education Reports.

Armistead v. Starkville Municipal Separate School District, 461 F. 2d (5th Cir. 1972).

Baker v. Columbia Municipal Separate School District, 462 F. 2d 1112 (5th Cir. 1972).

Blakely, W. A. (1983, June). Black colleges and universities: Desegregation, disintegration or equity? ISEP Monitor, 7 (1-2), 11-26.

Byrd, B. & Keesler, W. (1984, March 30). Black-college grads lag on tests: Failure rates high for prospective teachers. The Virginia-Pilot, pp. 1, 2A.

California Commission of Teacher Credentialing (1984, January). CBEST performance in relation to personal background factors, Unpublished, Sacramento, California.

Debra P. v. Turlington, 474 F. Supp. 244 (M. D. Fla. 1979).

Debra P. v. Turlington, 644 F. 2d 397 (1981).

Debra P. v. Turlington, No. 78-89 2- (M. D. Fla. 1983).

Ethridge, S. B. (1979). Impact of the 1954 Brown v. Topeka Board of Education decision on black educators. The Negro Educational Review, 30(4), 217-32. (ERIC No EJ 215 279)

Flippo, R. F. & Foster, C. R. (1984). Teacher competency testing and its impact on educators. Journal of Teacher Education, 35(2), 10-13.

Gallegos, A. M. (1984). The negative consequences of teacher competency testing. Phi Delta Kappan. 65(9), 631.

Georgia Association of Educators v. Nix, 407 F. Supp. 1102 (1976).

Gould, S. J. (1981). The mismeasure of man. New York: Norton and Company.

Hansen, J. O. (1983, October 9). 22% fail Georgia's teachers test. Atlanta Journal and Constitution, pp. 16-17A.

Hyman, R. T. (1984). Testing for competence: The logic, the law, and the implications. Journal of Teacher Education, 35(2), 14-18.

In Brief. (1983, July 29). The Chronicle of Higher Education, p. 2.

IOX Assessment Associates. (1983, June). Standards advisor's booklet. Austin: Texas Education Agency.

Kauchak, D. (1984). Testing teachers in Louisiana: A closer look. Phi Delta Kappan 65(9), 626-628.

Knight, S. M. (1983, December 25). Proficiency testing: State's aspiring teachers sweat out last exam. The Arizona Daily Star, pp. 1, 2D.

Lazarus, M. (1981). Goodbye to excellence: A critical look at minimum competency testing. Boulder, Colorado: Westview Press.

Low scores to trigger reviews of colleges. (1983, February 11). Alabama Journal , p.1.

Mercer, W. (1983, May). Standardized tests preserve a racial elite. Instructor, pp. 14, 89.

Mercer, W. (1984). Teacher education admission requirements: Alternatives for black prospective teachers and other minorities. Journal of Teacher Education, 35(1), 26-29.

Mohr, P. (1980, June). Research agenda for teacher education: Black perspective. In E. P. Witty (Ed.), Proceedings of the National Invitational Conference on Problems, Issues, Plans, and Strategies Related to the Preparation and Survival of Black Public School Teachers (pp. 99-109). Norfolk, VA: Norfolk State University. (ERIC Document Reproduction Service No. not yet assigned; Clearinghouse on Teacher Education No. SP 019 478)

Nader, R. (1979). The pervasive power of ETS. Additional Resources(Washington DC: National Education Association . Cited as excerpted and reprinted from an appearance by Ralph Nader on The Phil Donahue Show, May 2, 1979.

Nairn, A., et. al. (1980). The reign of ETS: The corporation that makes up minds. Washington, DC: Learning Research Project.

Number and percent passing all subtests and each subtest by total candidates and by sex and ethnic designation: Florida teacher certification examination. (1982, July 10). Unpublished, Florida Department of Education.

Oklahoma Teacher Certification Testing Program: Registration Bulletin, 1984. (1984) Amherst: National Evaluation Systems, Inc. Issued by Oklahoma State Department of Education.

Performance by number of tests passed: P-PST data. (1984, March). Unpublished, Texas Education Agency.

Personnel Administration of Massachusetts v. Freeney, 442 U.S. 256(1979).

Poll shows teachers favor job tests. (1984, June 28). Minneapolis Star and Tribune, pp. 17, 18A.

Rebell, M. A. (1977, March). Recent developments in equal employment opportunity law and their effect on teacher credentialing practices. In American Association of Colleges of Teacher Education Yearbook, 69-81.

Sandefur, J. T. (1984, March) Addendum to State assessment trends. Unpublished notes. Western Kentucky University, College of Education, Bowling Green.

Sandefur, J. T. (1984, March) State assessment trends. AACTE Briefs, 5(2), 17-19.

Sandefur, J.T. (1984). Teacher competency testing: The public's mandate. Teacher Education and Practice, 1 (1), 11-16.

Scott, H. J. (1979). Minimum competency-testing: The newest obstruction to the education of blacks and disadvantaged Americans. Princeton, NJ: ERIC Clearinghouse on Tests, Measurement, and Evaluation and the Educational Testing Service. (ERIC Document Reproduction Service No. ED 178 618)

Sex and race results across all 79 test forms. (1982, January, April, July; 1983, December; 1984, February), Unpublished, Oklahoma Teacher Certification Testing Program, Oklahoma Department of Education.

Smith, C. (1981, December 23). Three file suit to block teacher test. The Advertiser, p. 11SF.

Smith, G. P. (1984). The critical issue of excellence and equity in competency testing. Journal of Teacher Education, 35(2), 6-9.

Statewide ATPE results. (1983, January 1-June 30). Office of Performance Based Certification. Arizona Department of Education. (The sum of the number of tests for each ethnic group do not equal the reported number for all tests administered. For example, the sum of tests by ethnic group equals 1,779 rather than 1,821, the total number of tests administered. Discrepancy may have been due to either test takers not reporting their ethnicity or a number of test takers whose ethnicity did not fit within the five categories used for reporting. Table 4 contains data as reported by the Arizona Department of Education with no adjustment for possible errors.).

Statewide summary score report by test of Alabama Initial Teacher Certification Program (1981, July 21; 1982, March 20, June 20, December 11; 1983, March 26), Unpublished, Office of Regulatory Services, Alabama Department of Education.

Stedman, C. H. (1984). Testing for competency: A pyrrhic victory. Journal of Teacher Education, 35(2), 2-5.

Teacher merit pay, competency tests favored. (1984, June 26). Columbia Daily Tribune, p. 2.

Teacher test raises questions (1983, October 30). The Dallas Morning News, p. 30A.

Trammer, M. D. (1980, February). Teaching: The profession blacks may lose. Black Enterprise, pp. 69-72.

Tyler v. Vickery, 517 F. 2nd 1089 (5th Cir. 1975).

Uniform Guidelines on Employee Selection Procedures. 91978, August 25). Federal Register, Part IV, 43 (166).

U. S. v. Chesterfield County School District, 484 F. 2d 70 (4th Cir. 1973).

U. S. v. State of North Carolina, 400 F. Supp. 243 (E.D.N.C. 1975).

U. S. v. State of South Carolina, 445 F. Supp. 1094 (D. South Carolina, 1977), aff'd 434 U.S. 1026 (1978).

Vargas, Q. III. (1984). The screening of preservice teachers in Texas. Texas Teacher Educator Forum, 11(1), 1-11.

Washington v. Davis, 44 U.S.L.W. 4789 (June 7, 1976).

Walston v. County School Board of Nansemond County, 492 F. 2d 919 (4th Cir. 1974).

Walton, S. (1984, May 9). Federal appeals court upholds Florida high school graduation test. Education Week, 3(33), pp. 5, 15.

Warner, C. (1983, January 30). Many ed majors can't pass teachers' exam. The Clarion Ledger, pp. 1, 8B.

Willens, H. P., & others. (1976, July) Brief Amicus Curiae For Educational Testing Service. United States of America, Plaintiff, and South Carolina Education Association, et al., Defendents. In the United States District Court for the District of South Carolina, Columbia Division, 185 pp. (ED 157 905)

Witty, E. P. (1982). Prospects for black teachers: Preparation, certification, employment. Washington, DC: ERIC Clearinghouse on Teacher Education. (ERIC Document Reproduction Service No. ED 213 659)

Wright, M. D. (1980, June). The survival of black public school teachers: A challenge for black colleges and universities. In E. P. Witty (Ed.), Proceedings of the National Invitational Conference on Problems, Issues, Plans, and Strategies Related to the Preparation and Survival of Black Public School Teachers (pp. 63-70). Norfolk, VA: Norfolk State University. (ERIC Document Reproduction Service No. not yet assigned; Clearinghouse on Teacher Education No. SP 019 478)

Table 1
States Mandating Competency Assessment of Teachers—1983

State	Mandate		Date	Level		Skills Tested					Type of Tests	
	Legislative	St. Bd. of Educ.	Mandated/Implemented	Admissions	Certification	Basic	Professional	Academic	On-the-Job	National Std.	Customized
Alabama		X	80/81	X	X	X	X	X		X	X
Arizona	X	X	80/81		X	X	X				X
Arkansas	X	X	79/83		X	X	X	X		X	
California		X	81/83		X	X		X			X
Colorado	X		81/83	X		X				X	
Connecticut		X	82/85	X	X	X	X	X			X
Delaware		X	82/85		X	X				X	
Florida	X		78/80	X	X	X	X		X		X
Georgia		X	75/78		X		X	X	X		X
Kentucky		X	82/83-85	X	X	X	X	X	X	X	
Louisiana	X		77/79		X	X	X	X		X	
Massachusetts		X	79/82		X	X	X	X			X
Mississippi		X	82/84	X	X	X	X			X	
Missouri		X	83/84	X	X	X				X	
Nevada	X		82/	X	X	X	X	X	X	X	
New Jersey		X	83/87		X		X	X		X	X
New Mexico	X	X	81/83	X	X	X	X	X			X
New York		X	83/84		X	X	X		X		
North Carolina		X	79/82	X	X	X	X			X	X
Oklahoma	X		80/82		X	X		X	X		X
Rhode Island		X	/81		X			X			X
South Carolina	X		79/83	X	X	X	X	X	X	X	X
Tennessee		X	78/79	X		X	X	X		X	
Texas	X		81/84-86	X	X	X		X		X	
Utah		X		X		X				X	
Vermont		X	/82		X		X	X	X		X
Virginia	X		80/84		X		X	X	X	X	X
Washington		X		X		X				X	
West Virginia		X	82/85	X	X	X	X	X	X		X
Wyoming		X		X		X				X	
Totals—30	*11*	*22*		*17*	*25*	*25*	*20*	*19*	*10*	*18*	*16*

Note. From "State Assessment Trends" by J. T. Sandefur, 1984, AACTE Briefs, 18.

Table 2
States Reporting Planning or Discussion of Competency Assessment of Teachers—1983

	Level			Skills Tested			Type of Tests		
State	Admissions	Certification	Basic	Professional	Academic	On-the-Job	Standardized	Customized	Year First Reported Planning
Illinois	X	X	X						1980
Indiana	X		X						1980
Kansas	X	X	X			X			1980
Maryland	X	X	X	X	X		X	X	1982
Montana									1982
Nebraska	X		X						1982
New Hampshire									1983
North Dakota		X	X						1983
Ohio		X	X	X	X			X	1982
Oregon	X	X	X				X		1983
Pennsylvania	X		X						1983
Wisconsin	X	X	X	X	X		X		1980
Totals—12	*8*	*7*	*10*	*3*	*3*	*1*	*3*	*2*	

Note. From "State Assessmemt Trends" by J. T. Sandefur, 1984, AACTE Briefs, 19.

Table 3

Teacher Competency Test Pass Rates
By Ethnicity For Ten States

State	Pass Rates By Percent						Test
	Anglos	Asians	Blacks	Hispanics	Native Americans	All	
Alabama	86		43			61	AICT(NES)
Arizona 1/6/83	73	50	24	42	22	66	ATPE
7/9/83	70	25	41	36	19	59	
California	76	50	26	38	67	68	CBEST(ETS)
Florida 6/82	92	67	37	57	90	85	FCTE Customized
2/83	90	63	35	51	100	84	
Georgia	87		34			78	CRTCT(NES)
Louisiana	78		15			77	NTE(ETS)
Mississippi*	97-100		54-70			NA	NTE(ETS)
Oklahoma	79	82	45	71	70	78	OCT(NES) Customized
Texas	62	47**	10	19	47**	54	P-PST(ETS)
Virginia* (Trial Testing)							NTE(ETS)
Communication Skills	97%		56%			NA	
General Knowledge	99%		69%			NA	
Prof. Knowledge	99%		83%			NA	

*Pass rates at predominately white and black public institutions.
**Asian and Native American candidates are reported in a combined "Others" category in the Texas reporting system.

Table 4

Pass Rates By Ethnicity

Alabama Initial Teacher Certification Testing Program

Date/Exam	Black			Anglo			Overall Pass Rate		
	Number Tested	Number Passed	% Passed	Number Tested	Number Passed	% Passed	Number Tested	Number Passed	% Passed
July 21, 1981									
Professional Studies	40	18	45%	555	455	82%	597	475	80%
Specialization	110	19	17%	745	620	83%	857	640	75%
March 20, 1982									
Professional Studies	47	31	66%	532	441	83%	582	474	81%
Specialization	133	58	44%	988	856	87%	1125	917	82%
June 26, 1982									
Professional Studies	71	35	49%	541	424	78%	614	461	75%
Specialization	272	120	44%	1532	1356	89%	1820	1489	82%
December 11, 1982									
Professional Studies	48	24	50%	553	441	82%	606	478	79%
Specialization	196	95	49%	1044	923	84%	1252	1027	82%
March 26, 1983									
Professional Studies	55	24	44%	813	693	85%	875	725	82%
Specialization	210	90	43%	1479	1329	90%	1700	1425	84%
Total	1182	514	43%	8782	7538	86%	10028	8111	81%

Source: Statewide Summary Report By Test of Alabama Initial Teacher Certification Testing Program (July 21, 1981; March 20, 1982; June 26, 1982; December 11, 1982; March 26, 1983), Office of Regulatory Services, Alabama Department of Education.

Table 5

Arizona Teacher Proficiency Exam Results By Ethnicity

January 1 - June 30, 1983

Ethnic Group	Basic Skills Test*			Prof. Knowledge Test**		
	Number Tested	Number Passed	% Passed	Number Tested	Number Passed	% Passed
Blacks	54	13	24%	27	24	89%
Hispanics	123	51	42%	58	56	97%
Asians	12	6	50%	8	8	100%
Native Americans	100	22	22%	39	33	85%
Anglos	1490	1085	73%	1008	1002	98%
All	1821	1201	66%	1162	1145	98%

* Passing score of 80% correct responses
** Passing score of 50% correct responses

Source: "Statewide ATPE Results," (January 1-July 30), Office of Performance-Based Certification, Arizona Department of Education.

Table 6

Pass Rates By Ethnicity

California Basic Educational Skills Test

All First-Time Examinees December 1982

Ethnic Group	Number Responding	Number Passing	Percent Passing
American Indian, Eskimo or Aleut.	361	244	67
Black, Afro-American or Negro	2,040	539	26
Mexican American or Chicano	2,133	834	39
Oriental or Asian-American	1,259	637	50
Puerto Rican	110	45	40
Other Hispanic or Latin American	741	284	38
White	24,540	18,856	76
Other	855	533	62
Did not respond	1,547	965	62
TOTAL GROUP	33,586	22,937	68

Source: California Commission of Teacher Credentialing

Table 7

Florida Teacher Certification Examination

Test Results By Ethnicity

July 10, 1982

Group	Tests Taken	Tests Passed	% Passed
Black	369	138	37%
Hispanic	156	89	57%
Native American/ Alaskan Native	10	9	90%
Asian/Pacific	6	4	67%
Anglo/White	3242	2973	92%
Other	55	39	71%
All	3838	3252	85%

Source: Florida State Department of Education

Table 8

National Teacher Examination Scores for Mississippi Universities

Institution	Composite mean For 1982	Percent Scoring 850* Or Above
Mississippi University for Women	1,156	100
Mississippi State University	1,140	98
University of Mississippi	1,123	97
Delta State University	1,132	97
University of Southern Mississippi	1,141	97
** Alcorn State University	895	70
** Jackson State University	874	60
** Mississippi Valley State University	851	54

*Required for certification in Mississippi

**Historically and predominantly black institutions

Source: Mississippi State College Board as reported in "Many Ed Majors Can't Pass Teacher's Exam" by Coleman Warner, January 30, 1983, The Clarion Ledger, p. 8B.

Table 9

Oklahoma Certification Testing Program Test Results

By Ethnicity

All Examinees/All Tests

(January, April, July, 1982; December, 1983; February, 1984)

Group	Tests Taken	Tests Passed	% Passed
Black	220	98	45%
Hispanic	34	24	71%
Native American	174	121	70%
Oriental	11	9	82%
White/Anglo	8284	6514	79%
Other	36	33	92%
All	8759	6799	78%

Source: State Department of Education, Oklahoma. Compiled by the author